

Application N . 09/892048

Amendment

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a catheter having a distal end, the catheter including a balloon near its distal end;  
a stent mounted for delivery onto the balloon,  
the balloon being made of a material which includes at least one radiopaque portion.

Please replace claim 5 with amended claim 5 as set forth below:

5. The stent delivery catheter of claim 4 further wherein the stent has proximal and distal ends, and further wherein the one or more radiopaque band portions comprises two radiopaque band portions which are positioned so that they mark the proximal and distal ends of the stent.

Please add the following as new claim 7.

7. A stent delivery catheter comprising:  
a catheter having a distal end, the catheter including a balloon near its distal end;  
a stent mounted for delivery onto the balloon,  
the balloon including at least one portion to which a radiopaque ink has been applied.

#### Remarks

This amendment is in response to the Office Action mailed August 15, 2002.

Applicant confirms the election of claims 1-5 for prosecution. Applicant has amended the specification to correct a typo in which reference numeral 10 was used when 12 was intended.

This amendment is believed to obviate the need for corrected drawings. Claims 1 and 5 have been amended and are now believed to provide the necessary antecedent basis to overcome the §112 rejection to claims 3 and 5.

#### 102 Rejection

Claims 1 and 3-5 were rejected as being anticipated by Fischell 5792144. Fischell does not teach a balloon which is made from a radiopaque material, as amended claim 1 now requires. Fischell also does not teach applying a radiopaque ink to the balloon, as new claim 7 requires. Instead Fischell teaches using bands of material or tubes, which are arranged at the proximal and distal ends of the balloon and which may be radiopaque. This additional structure